

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REVA STACK, LEIGH JEAN KOINZAN,)	CASE NO. 8:02CV266
and ZITA DOUGLAS, on behalf of)	
themselves and other similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	FINAL ORDER OF APPROVAL
)	OF CLASS SETTLEMENT
AMERICAN MEDICAL INTERNATIONAL,)	
INC., et al.,)	
)	
Defendants.)	

This matter came before the Court for hearing on Plaintiffs' Motion for Approval of Joint Stipulation of Settlement, Filing No. 91. On December 1, 2005, this Court conditionally certified a Class consisting of:

Employees who were employed at St. Joseph Hospital, The Center for Mental Health, the Omaha Health Professions Center, the Medical Clinics and/or the Apartment Building and Pediatric Beds, their successors or assigns (collectively referred to as "Hospital") on or before November 18, 1984, who were eligible to participate in the Creighton Omaha Regional Healthcare Corporation ("CORHCC") St. Joseph Hospital Employees Pension Plan, became participants in the AMI-St. Joseph Pension Plan on that date ("Plan") and who continued to be employed by Hospital through December 31, 1995.

Filing No. 89. Reva Stack, Leigh Jean Koinzan and Zita Douglas were certified as Class representatives and Fraser Stryker PC LLO and Gross and Welch, P.C., were certified as Class counsel.

The Court has reviewed the Motion, the Joint Stipulation of Settlement, the Notice provided to Class members, Class counsel's Affidavit of Mailing, and the Certification of Scott W. Rankin, Senior Vice President of Benefit Trust Company, as independent fiduciary that the proposed settlement is reasonable to Class members.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. This Court finds that the Federal Rules provide that "[a] class action shall not be dismissed or compromised without the approval of the court." Fed. R. Civ. P. 23(e).

2. This Court finds that the parties' settlement agreement is not the product of fraud or collusion and that, taken as a whole, it is fair, adequate and reasonable to all concerned.

3. This Court finds that reasonable and proper notice of a proposed settlement has been given to the Class.

4. This Court finds that the notice of class action and proposed settlement and the notice of hearing have been mailed to Class members at their last known addresses via first class mail.

5. This Court finds that notice fairly apprised Class members of this action and the proposed settlement.

6. This Court finds that no one has filed an objection to the proposed settlement.

7. This Court finds that the settlement is fair, reasonable and adequate and has been reviewed by an independent fiduciary. Accordingly,

IT IS ORDERED THAT the settlement is approved, and after this Order of Final Approval of the Settlement becomes final and non-appealable, Defendants will file an affidavit with the Court stating that \$2,300,000.00 is in the Plan and each Class member's allocation has been determined and will be paid to each Class member (or Class member's beneficiary) when they are entitled to receive a distribution from the Plan, and Defendants will pay the sum of \$700,000.00 plus costs incurred in connection with mailing notice to Class members to Fraser Stryker PC LLO for disbursement to Class members' counsel.

Dated this 26th day of September, 2006.

BY THE COURT:

s/ Joseph F. Bataillon

Joseph F. Bataillon

United States District Judge